

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1. In Figure 1, the previously omitted elements 15 and 16 have been added.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

Claim 1 is currently amended, for reasons unrelated to patentability, to clarify that the filter is located between the membrane and the bottom of the housing.

Regarding the Examiner's rejection of the drawings under 37 CFR 1.83(a), the Applicants submit a revised drawing to include the oxygen apparatus as called for in claim 1 and an external humidifier as called for in claim 2. The Applicant notes that 37 CFR 1.83(a) provides that "conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box)." The Applicant respectfully asserts that the claimed oxygen apparatus and external humidifier are conventional features which are disclosed in the substitute specification in the second full paragraph on page 3 and the first full paragraph on page 5, respectfully. Accordingly, the Applicant hereby amends the drawing to illustrate the oxygen apparatus and the humidifier in the form of a labeled representation, in accordance with 37 CFR 1.83(a). The applicant also amends the description on pages 4 and 5 to include the new reference numbers assigned to the oxygen apparatus (15) and humidifier (16).

Regarding the Examiner's rejection of all claims on the basis of Andersson (U.S. 4,971,054), under both 35 U.S.C. 102 and 103, the Applicant respectfully disagrees with the Examiner on the basis that Andersson does not teach or suggest at least the following limitations of the claims (see claim 1): (1) "the filter is laying against a number of ribs located in the bottom of the valve housing" and (2) "said nipple opens into a space defined by the ribs and the bottom of the valve housing and also opens into the filter parallel to the extension of the filter."

With respect to limitation (1), the Examiner asserts that Andersson discloses a filter laying against a number of ribs located in the bottom of the valve housing by reference to Figure

1, reference objects 4 (the purported filter) and 10 (the purported rib). However, as can be seen in Figure 1 of Andersson, which is copied below for the Examiner's convenience, the purported rib (reference 10 below) is not a rib at all but is instead a ring. Moreover, the purported rib is not located at the bottom of the valve housing but is instead located at the top. Even further, the purported filter (reference 4 below) is not shown to be laying against the purported rib.

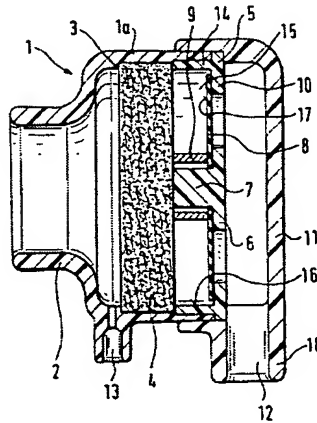


Figure 1 of Andersson

With respect to limitation (2), the Applicant believes that the Examiner may have understood the claim limitation. In asserting that this limitation is met, the Examiner states "fig. 1 seems to depict filter parallel to the ribs." However, this claim limitation does not call for the filter to be parallel to the ribs. Instead, this limitation calls for: (a) the nipple to open into a space defined by the ribs and the bottom of the valve housing; and (b) the nipple to also open into the filter parallel to the extension of the filter. Both requirements (a) and (b) of limitation (2) are clearly not taught or suggested by Andersson because Andersson does not teach ribs (see discussion above) or a space defined by ribs and the bottom of the valve housing. Moreover, the nipple in Andersson does not open **into** the filter. Instead, the nipple of Andersson opens into the space to the left the filter, as shown in the Figure above.

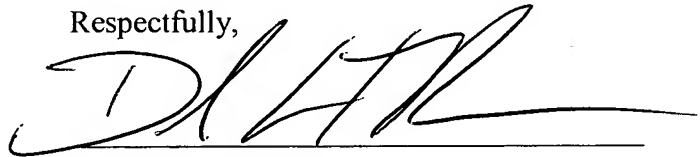
Applicant does not believe that any fees are required for the submission of this Amendment. However, if Applicant's belief is incorrect, you are hereby authorized to deduct the required amount from Deposit Account No. 02-0400 (Baker & McKenzie). When identifying such a withdrawal, please use our Attorney Docket No.: BLOM-105-US.

It is believed that the application is now in a condition for allowance. If the Examiner believes that discussion of this application would be beneficial, she is urged to contact the undersigned at the telephone number listed below.

June 6, 2006

BAKER & McKENZIE LLP
130 E. Randolph Drive
Chicago, IL 60601
ph: 312-861-8024
fax: 312-698-2420

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Tallitsch', with a long horizontal flourish extending to the right.

Daniel A. Tallitsch
Reg. No. 55,821



Appl. No. 10/672,835
Amdt. Dated June 6, 2006
Reply to Office action of Apr. 6, 2006

Annotate Sheet Showing Changes

